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FACSIMILE COVER SHEET

Deliver to: Examiner Robert Pond, USPTO
Art Group: 3625
Facsimile No.: 703-872-9306
Date: April 13, 2005
From: Eric T. King, Reg. No. 44,188
Our Docket No.: 6969P001
Number of pages 2 including this sheet.
Application No.: 09/607,202
Filing Date: 6/28/2000
Docket Due Date(s): 7/1/2005

Enclosed are the following documents:

☐ Amendment: ___ (___pgs)	☐ Issue Fee Transmittal
☐ Appeal Brief (___pgs)	☒ Notice of Appeal
☐ Application: ___	☐ Petition for: ___
(___pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)
☐ Assignment & Cover Sheet (pgs)	☐ Reply Brief (pgs)
☒ Certificate of Facsimile	☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter
☐ Drawings: ___sheets, ___ figures	☐ Response to Written Opinion (___ pgs)
☐ Extension of Time: ___	☐ Terminal Disclaimer
☒ Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due
☐ IDS & PTO/SB/08 (pgs)	☒ Transmittal Letter
☐ Other ___	

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Nicole Erquiaga — 4/13/2005 *Date*

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	09/607,202
Filing Date	June 28, 2000
First Named Inventor	Frank J. Jakubaitis
Art Unit	3625
Examiner Name	Examiner Robert Pond
Total Number of Pages in This Submission	4
Attorney Docket Number	6969P001

ENCLOSURES *(check all that apply)*

- [X] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment / Response
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [ ] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
  - [ ] PTO/SB/08
- [ ] Certified Copy of Priority Document(s)
- [ ] Response to Missing Parts/ Incomplete Application
  - [ ] Basic Filing Fee
  - [ ] Declaration/POA
- [ ] Response to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s)
- [ ] After Allowance Communication to Group
- [ ] Appeal Communication to Board of Appeals and Interferences
- [X] Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- [ ] Proprietary Information
- [ ] Status Letter
- [ ] Other Enclosure(s) *(please identify below):*

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric T. King, Reg. No. 44,188 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	April 13, 2005

CERTIFICATE OF MAILING/TRANSMISSION

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Typed or printed name	Nicole Erquiaga		
Signature		Date	April 13, 2005

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wip 06/04/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT	($)	500.00

Complete if Known	
Application Number	09/607,202
Filing Date	June 28, 2000
First Named Inventor	Frank J. Jakubaitis
Examiner Name	Examiner Robert Pond
Art Unit	3625
Attorney Docket No.	6969P001

METHOD OF PAYMENT *(check all that apply)*

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION

1. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	11	- 20* =	0	x	50.00	=	$0.00
Independent Claims	2	- 3* =	0	x	200.00	=	$0.00
Multiple Dependent						=	

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple Dependent claim, if not paid
1204	300	2204	150	**Reissue independent claims over original patent
1205	300	2205	150	**Reissue claims in excess of 20 and over original patent

***or number previously paid, if greater, For Reissues, see below*

SUBTOTAL (1) ($) 0.00

2. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	500.00
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					

SUBTOTAL (2) ($) 500.00

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Eric T. King	Registration No. (Attorney/Agent)	44,188	Telephone	(714) 557-3800
Signature				Date	04/13/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT ($) 500.00

Complete If Known	
Application Number	09/607,202
Filing Date	June 28, 2000
First Named Inventor	Frank J. Jakubaitis
Examiner Name	Examiner Robert Pond
Art Unit	3625
Attorney Docket No.	6969P001

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☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

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Independent Claims	2	- 3* =	0	x	200.00	=	$0.00
Multiple Dependent						=	

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SUBTOTAL (1) ($) 0.00

***or number previously paid, if greater, For Reissues, see below*

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1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify)					

SUBTOTAL (2) ($) 500.00

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Eric T. King	Registration No. (Attorney/Agent)	44,188	Telephone	(714) 557-3800
Signature				Date	04/13/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

APR 13 2005

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Docket Number (Optional) 6969P001

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

April 13, 2005

Signature N Erquiaga

Typed or printed name Nicole Erquiaga

In re Application of: Frank J. Jakubaitis

Application Number	Filed
09/607,202	06/28/2000

For: Method and System for Distributing Digital Works

Art Unit	Examiner
3625	Examiner Robert Pond

Applicant hereby appealsto the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) $500.00

☐ Applicant claims small entity status under 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: _____

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of the fee transmittal.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2666 I have enclosed a duplicate copy of the fee transmittal.

☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____.

Signature

Eric T. King, Reg. No. 44,188
Typed or printed name

04/13/05
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted

Based on PTO/SB/31 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 09/11/2003.
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